IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 153 OF 2005

IN

SUIT NO. 2264 OF 1999

Smt. Jamunabai G. Sawant. .. Plaintiff.
vs.
Smt. Sharda K. Karande & Ors. .. Defendants.

Mr. A.K. Saxena for plaintiff.
Mr. R.K. Saraj i/by Nitin Jamdar for defendant no.1.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 12th June, 2006.

P.C.

. This chamber summons is to implead the legal heirs of the deceased defendant no. 5, who has expired. There is a delay of two years in taking out this chamber summons.

2. The chamber summons is served on the legal heirs of deceased defendant no. 5. Affidavit proving service is filed. None appears for them.

3. Mr. Jamdar appears for the 1st defendant.

4. After perusal of this chamber summons and the affidavit in support, I am satisfied that sufficient cause is made out for condoning the delay

of two years in applying for impleadment of the heirs of the deceased defendant no. 5.

5. The chamber summons is made absolute in terms of prayer clauses (a) and (b).

6. Amendment to be carried out within a period of two weeks. Copy of the amended plaint to be served on the newly added defendants within a period of four weeks thereafter.